



Paper No. 11

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**OFFICE OF PETITIONS
A/C PATENTS**

In re Application of
Robert W. Brocia
Application No. 09/005,711
Filed: January 12, 1998
Attorney Docket No. RO-11,003

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed October 17, 2000, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office action mailed February 4, 1999. Accordingly, this application became abandoned on May 5, 1999. A Notice of Abandonment was mailed on October 8, 1999.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$445.00 extension of time submitted with the petition on October 17, 2000 was subsequent to the maximum period obtainable for reply, petitioner may request a refund of this fee by writing to the Office of Finance, Refund Section. A copy of this decision should accompany petitioner's request.

The Power of Attorney and change of correspondence address, submitted October 17, 2000, has been made of record.

The application file is being forwarded to Technology Center 1600 for processing the CPA

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

A handwritten signature in dark ink, appearing to read 'Ed Tannouse', followed by a long horizontal flourish.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy